

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of January 28, 2008 (Office Action). As this response is filed within the three-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any fees to Deposit Account No. 50-0951.

Specification

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. More specifically, it was asserted that the term "computer-readable storage" used in Claims 12, 14-20, and 23-31 lacks antecedent basis in the specification.

The term "computer-readable storage" has been changed back to "machine-readable storage" as recited in the original disclosure.

Claims Rejections – 35 USC § 112

Claims 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. More specifically, it was asserted that Claims 14-15 are system claims that depend from Claim 11, a method claim.

Claim 14 has been amended to depend from Claim 12.

Claims Rejections – 35 USC § 103

Claims 1, 4-8, 10, 16-20, 23-27, 29, and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,122,664 to Boukobza (hereinafter Boukobza) in view of U.S. Patent 6,681,243 (incorrectly cited in the Office Action as 6,681,423) to Putzolu (hereinafter Putzolu). Claims 12, 14, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,812,780 to Chen, *et al.* (hereinafter

Chen) in view of Putzolu. Claims 9, 11, 18, 28, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boukobza and Putzolu, in view of Chen.

Applicants respectfully disagree with the rejections and thus have not amended the claims to overcome the art rejections.

It was asserted in the Office Action that Boukobza discloses that autonomous agents are associated with object types and parameters (col. 5, lines 13-18 and col. 5, lines 23-30, i.e. software). However, it is noted that being associated with an object type is different from being associated with a specific host. A host is a specific software object that the associated passive ghost agent follows around when the host moves from one grid to another. In contrast, an object type refers to a particular kind, class, or group of objects and thus a number of hosts could be of the same object type. When an autonomous agent is associated with an object type, this means that the autonomous agent is not associated with a specific host and follows the movement of that specific host, but rather that the autonomous agent may be associated with different hosts of the same object type and does not follow the movement of any specific host.

It was also asserted in the Office Action that Putzolu discloses using mobile agents to diagnose, report, or correct network conditions (col. 3, lines 59-61 and col. 4, lines 17-23). However, it is noted that an inventive concept of the present invention is not the mobility of the ghost or the host, but rather that a specific ghost is associated with a specific host and follows the movement of the specific host in order to perform the test.

It is not clear how one of ordinary skill in the art would obtain from a combination of Boukobza and Putzolu the concept of responsively moving the ghost agent in accordance with the movement of the host when Boukobza only teaches that an autonomous agent is installed in each node to be monitored and can be associated with certain object types, and Putzolu only teaches that the agents are movable. Further, it is noted that in Boukobza a specific node, not a specific host, is what is being monitored by a ghost installed in that specific node. Thus, there is no reason for Boukobza's moving

the ghost. More fundamentally, it is against the purpose of Boukobza to move the ghost in accordance with the movement of the host.

Accordingly, Boukobza and Putzola, alone or in combination with any reference of record, fail to teach, suggest, or render obvious every feature recited in independent claims, as amended. Therefore, Applicants respectfully submit that the independent claims, as amended, each define over the cited references. Furthermore, as the remaining dependent claims each depend from one of independent claims while reciting additional features, Applicants submit that the remaining dependent claims likewise define over the prior art.

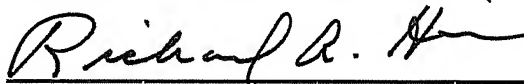
In view of the above, Applicants respectfully request that the claims rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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